

**TOWN OF LA POINTE  
REGULAR TOWN BOARD MEETING  
TUESDAY, JULY 26, 2016  
5:30PM AT TOWN HALL**

Approved Minutes

**Called to order** at 5:30pm

**Town Board Members Present:** Jim Patterson, Mike Anderson, Sue Brenna, John Carlson, Mike Starck

**Staff present:** Lisa Potswald, Elected Clerk Micaela Montagne

**Public Present:** Greg Thury, Paul Brummer, Barb With

**I. Public Comment A\*:** Paul Brummer stated that he hopes the street cuts and culvert replacement on South Shore Road happen prior to any work on Big Arn's Road or Brian's Road. He also stated the minutes from the previous Town Board Meeting did not fully reflect what he stated, and if his hand written note could be included with the minutes. John Carlson stated that he took personal offense to the letter from Supervisor M. Starck dated 7-14-16 regarding Big Arn's Road and the Cell Tower. The letter stated that they are not actively working on the issues, but J. Carlson believes otherwise as the Town Hall Staff have been working on gathering information.

**II. Town Administrator's Report:** Report prepared and presented by Administrator Lisa Potswald. Discussion included that L. Potswald met with the Planning Director from Red Cliff earlier on 7-26-16 to discuss working together on a Cell Tower as well as on grants and some strategic planning. Report dated 7/21/16 placed on file by Unanimous Consent.

**III. Public Works**

**A. Roads**

1. Big Arn's Road and Brian's Road: Lisa Potswald, Foreman Kristian Larsen, and Barb Nelson are working on it. There will also be an article in the Gazette addressing some of the information.

**B. Parks**

1. Leisure Interactive Updates: Treasurer C. Neubauer spoke with an Islander who knows some attorneys in California who can be contacted if necessary. Lisa is waiting to hear from the insurance company to see if this would be covered.

**C. Airport**

1. Airport Manager's Report & Checklist: The runway at the airport will be closed over the next few days while Nelson Construction hauls gravel to the AWOS site. There is a NOTAM out and pilots can call Michael Dalzell to request use/ schedule an appointment to land. Report dated 7/26/16 placed on file by Unanimous Consent.

**D. Materials Recovery Facility (MRF)**

1. Exchange Program: Barb With and Greg Thury present to go over their Exchange Management Plan. Volunteers have been coming in to work shifts at the exchange. There will be a Facebook page, and sandwich boards placed at MRF to assist in letting the public know what is going on as well as direct traffic when the exchange is open. A flyer will be made and distributed that will include the rules, what items will and will not be accepted as well as

information on how to join the volunteer team and/ or donate to help cover the costs of keeping it open. No electronics will be accepted.

#### **IV. Committees**

**A. Planning and Zoning:** Nothing at this time.

**B. Community Awards Committee**

1. Appointment of two members for two year terms ending July 31, 2018: Motion to appoint Elizabeth Ellis and Suellen Soucek to the Community Awards Committee for two more years, ending July 31, 2016, M. Anderson/ S. Brenna, 5 Ayes, Motion Carried.

#### **V. Town Hall Administration**

A. Administrative Assistant's Report: There are still kinks in the accounting software that need to be worked out, especially before budget season starts. Motion to accept the Administrative Assistant's Report dated 7/22/16, M. Anderson/ M. Starck, 5 Ayes, Motion Carried.

B. Budget Report: Motion to place the Budget Summary Report for June 2016 on file, M. Anderson/ J. Carlson, 5 Ayes, Motion Carried.

C. Budget Summary Report: Motion to place the Budget Summary/ Comparison report for June 2016 on file, J. Carlson/ M. Anderson, 5 Ayes, Motion Carried.

D. Grant Updates: L. Potswald is waiting to get some information from the Fire Department to apply for a Duluth Superior Area Community Foundation grant for thermal imaging equipment.

E. Propane Contract with Midland Services for 7/1/2016 to 6/30/2017: Motion to approve and authorize Jim Patterson to sign the Propane Contract with Midland Services for 7/1/2016 to 6/30/2017 for propane delivery at \$1.17/ gallon including ferry fees, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

F. Town Board Meeting Format: Discussion on whether to try a 'Committee of the Whole' meeting following the regular Town Board meetings, for a chance to discuss some topics more, prior to having it on the regular agenda for approval. Discussion that it might not be necessary, except for a few items, so maybe a 'first read' and 'second read' on some items would be better. That way the community also can have more time to hear about topics and get involved if they chose to. Also discussed trying to put any known upcoming agenda items under the *New Agenda Items for Future Meetings* agenda item so there is a head's up as well as an opportunity for discussion.

G. Cell Tower Lease Agreement with American Tower: The current Cell Tower located at MRF is owned by American Tower and leases the land from the Town. The company approached the Town with an updated agreement with options for payment to the Town. The lease will include a onetime payment of \$40,000 as an incentive to extend the lease to 47 years. Motion to accept option three where American Tower pays the Town \$40,000 (to extend the lease) and agrees to waive an overpayment of \$5,040 that occurred over the last 12 months. American Tower will also pay a monthly rent of \$691.20. The motion also includes signing the contract, M. Anderson/ J. Carlson, 5 Ayes, Motion Carried.

H. Resolution #2016-0725 Thanking Xcel Energy for their Service: Motion to approve and sign Resolution #2016-0725 Thanking Xcel Energy for the quick response and work restoring electric service after the storm and power outages on July 21, 2016, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

**VI. Vouchers:** Motion to approve Vouchers in the amount of \$14,069.57, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

**VII. Minutes**

A. Regular Town Board Meeting June 28, 2016: Motion to approve minutes as submitted, M. Starck/ J. Carlson, 5 Ayes, Motion Carried.

B. Regular Town Board Meeting July 12, 2016: Motion to approve minutes as submitted, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

C. Special Town Board Meeting, Workshop, July 14, 2016: Motion to approve minutes as submitted, M. Anderson/ S. Brenna, 3 Ayes, 2 abstain (M. Starck and J. Carlson absent), Motion Carried.

D. Special Town Board Meeting July 19, 2016: Motion to approve minutes as submitted, M. Starck/ J. Carlson, 5 Ayes, Motion Carried.

**VIII. Emergency Services**

A. Ambulance Director's Report: Report dated 7/24/16 prepared by Cindy Dalzell placed on file by Unanimous Consent.

**IX. Library**

A. Library Board Minutes June 9, 2016: The Library had power during the outage following the July 21, 2016 storms. Minutes placed on file by Unanimous Consent.

**X. Public Comment B\*\*:** None.

**XI. Lawsuits & Legal Issues**

(A.) Nelson, et al. v. Defoe, et al. Case No. 15-cv-274-wmc

This meeting may, upon duly made motion, be convened in closed session under State Statute 19.85 (1)(g) during the meeting for the purpose of conferring with legal counsel with oral or written advice concerning litigation in which it is or is likely to become involved in.

If the Town goes into closed session it will reconvene in open session before adjourning

Motion to go into closed session as noticed, J. Carlson/ M. Starck. All five Ayes, Motion Carried.

Motion to return to open session, M. Anderson/ M. Starck, 5 Ayes, Motion Carried.

Motion to authorize the insurance company to proceed in the Nelson et. Al case as they have suggested, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

**XII. New Agenda Items for Future Meetings:** Fire Chief's Report

**XIII. Adjourn:** Motion to adjourn, J. Carlson/ M. Anderson, 5 Ayes, Motion Carried. Adjourned at 6:48pm.

Submitted by Micaela Montagne, Town Clerk.

Approved as submitted, August 9, 2016. M. Montagne.